



February 14, 2013

VIA ECFS

Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th Street, S.W.
Washington, D.C. 20554

Stephanie A. Joyce

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Re: Notice of Permitted *Ex Parte* Meeting, WC Docket No. 12-375

Dear Ms. Dortch:

Yesterday Securus Technologies, Inc., represented by Dennis Reinhold, its Vice President and General Counsel, Curtis Hopfinger, its Director of Regulatory and Government Affairs, and the undersigned counsel, met with Angela Kronenberg, Legal Advisor to Commissioner Mignon Clyburn, and Michael Steffen, Legal Advisor to Chairman Genachowski, to discuss the issues raised in the Notice of Proposed Rulemaking (“NPRM”) released on December 28, 2012, in the above-named docket.

This disclosure is made in compliance with 47 C.F.R. § 1.1206(a)(3).

Securus first stated that it will file comprehensive comments in response to the NPRM that will include cost data, price information, and usage statistics. The comments also will address the many legal questions raised in the NPRM such as the jurisdictional complexity of inmate telecommunications service and the contractual issues facing this industry.

Securus reiterated its concern that a “one-size-fits-all” approach to inmate calling rates is not feasible due to the broad spectrum of correctional facilities and cost structures involved. Although the trend of inmate calling rates is significantly and demonstrably downward, there remain small facilities — particularly county jails — that cannot be served at the rates presently applied to large facilities such as the Florida and Missouri Departments of Corrections. For this reason, Securus explained, the Commission should consider adopting a mechanism, such as a rate variance procedure, that would provide some flexibility for calling rates where the cost structure and usage statistics of a facility are particularly onerous.

Ms. Kronenberg and Mr. Steffen inquired about Securus’s approach to site commissions and how they may or may not affect demand. Securus explained that it considers site commissions to be a direct and real cost of service and that site commissions are the result of a public policy

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choice made by correctional authorities and/or state legislatures. The effect that site commissions have on demand, however, is not capable of measurement due principally to the fact that telephone usage is subject to the policies of correctional agencies; for example, the number of telephone calls an inmate may make often is limited by state or county policy. Securus also noted that it is not aware of a method for obtaining empirical data to measure demand for these services.

Finally, the parties discussed the possibility of continued meetings with public interest groups and other members of the industry as this rulemaking moves forward. As the Commission stated in the NPRM, it encourages all interested parties to work cooperatively in reaching a positive and workable result in this proceeding.

Sincerely,

s/Stephanie A. Joyce

Counsel to Securus Technologies, Inc.